
MINUTES
of the
FULL COUNCIL MEETING
held
9.30 am, Thursday, 22 October 2020
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Mayor T King, Councillors S Bryant, C Butler, B Dowler, M Greening, C Hill, K Maling, C Mackenzie, D McNamara, D Ogilvie, T Tuffnell, A Turley, T Walker and D Wensley

In Attendance: Chief Executive (J Dowding), Executive Assistant to the Mayor (R Scherer), Community Development Manager (S Edwards), Corporate and Governance Services Manager (M Drummond), Engineering Services Manager (R Kirby), Environment and Planning Manager (D Bush-King) and Chief Information Officer (S Manners)

Part Attendance: Executive Support Officer (R Williams), Executive Assistant (L Turpie), Transportation Manager (J McPherson), Technical Officer – Transportation (M Bell), Activity Planning Manager (D Fletcher) and Regulatory Manager (A Humphries).

1 OPENING, WELCOME

The Mayor welcomed everyone and opened the meeting with a karakia.

2 APOLOGIES AND LEAVE OF ABSENCE

There were no apologies.

3 PUBLIC FORUM

Nil

4 DECLARATIONS OF INTEREST

Nil

5 LATE ITEMS

Moved Deputy Mayor Bryant/Cr Wensley

CN20-10-15

That the late item, 9.5 Port Tarakohe Redevelopment Project be considered at today's meeting.

CARRIED

6 CONFIRMATION OF MINUTES

Moved Cr Tuffnell/Cr Maling

CN20-10-16

That the minutes of the Full Council meeting held on Thursday, 1 October 2020, be confirmed as a true and correct record of the meeting.

CARRIED

7 PRESENTATIONS

Nil

8 REPORTS

8.1 Temporary Road Closures

Transportation Manager, Jamie McPherson and Technical Officer – Transportation, Megan Bell presented the report which was taken as read. There were no questions.

Moved Deputy Mayor Bryant/Cr Turley

CN20-10-17

That the Full Council:

- 1. receives the Temporary Road Closures report RCN20-10-7; and**
- 2. approves the temporary closure of Edward Street, Salisbury Road (from Talbot Street to Queen Street), Oxford Street (from Wensley Road to Queen Street), Queen Street (from Edward Street to McIndoe Place), McIndoe Place and the Petrie/Harkness carpark on Sunday 29 November 2020 from, 6.00am to 2.00pm, for the Richmond Santa Parade.**
- 3. approves the temporary closure of Queen Street (between the Richmond Night & Day and McIndoe Place) on Wednesday 30 December 2020, from 6.00am to 6.00pm for the Richmond Market Day.**
- 4. approves the temporary closure of Wallace Street (from High Street to Decks Reserve carpark entrance) and Pah Street (from High Street to Grey Street) on Friday 4 December 2020, from 6.00pm to 9.00pm, for the Motueka Christmas Parade.**
- 5. Approves the temporary closure of Queen Victoria Street (from Green Lane to King Edward Street) including Marchwood Park Road for the following dates and times for the Motueka Drag Races:**

- **Saturday 21 November 2020, 8.00am to 4.00pm;**
- **Saturday 6 February 2020, 8.00am to 4.00pm (alternative rain date Sunday 7 February 2021);**
- **Saturday 6 March 2021, 8.00 am to 4.00pm;**
- **Saturday 3 April 2021, 7.30am to 4.00pm (alternative rain date Sunday 4 April 2021).**

CARRIED

8.2 Traffic Control Devices Bylaw - Proposed Control Changes

Mr McPherson and Ms Bell presented the report which was taken as read.

Responding to a question, Mr McPherson noted that staff always investigate any roading issues raised by residents and endeavour to remedy any issues that can be managed within the Council's policies and/or good practice.

The ongoing safety issue for children crossing the road on State Highway 6 at Wakefield was discussed. It was noted that the local community group is discussing this issue with Waka Kotahi, the New Zealand Transport Agency.

An issue with the intersection of State Highway 6 and Pigeon Valley Road was raised. Mr McPherson suggested that this issue should be discussed directly with Waka Kotahi or staff could raise it with them on the Council's behalf.

Moved Cr Wensley/Cr Mackenzie

CN20-10-18

That the Full Council:

- 1. receives the Traffic Control Devices Bylaw - Proposed Control Changes report RCN20-10-8; and**
- 2. approves the following changes to the Traffic Control Devices Register under the Traffic Control Bylaw, with effect from 20 November 2020.**

Street Name	Primary restriction	Start NZTM X	Start NZTM Y	End NZTM X	End NZTM Y
Meihana Street	Pedestrian Crossing	1583825.48	5478025.32	1583830.90	5478034.58
Coppins Place	No Parking	1600778.55	5448341.92	1600788.93	5448334.05
King Street	No Parking	1614472.04	5423236.28	1614487.39	5423212.60
Woodland Avenue	No Parking	1614501.28	5423196.73	1614511.07	5423196.33
McGlashen Avenue	P120	1615442.77	5423813.80	1615455.74	5423799.78
Antoine Grove	Give Way	1617051.66	5423871.43		

CARRIED

8.3 Stimulation of Local Construction Sector Post Covid-19

Engineering Services Manager, Richard Kirby and Programme Delivery Manager, Russell McGuigan presented the report which was taken as read.

Responding to a question, Mr Kirby confirmed that the Council's procurement process guarantees transparency and independent quantity surveyors ensure that the Council gets value for money.

Mr McGuigan confirmed that all tendered projects are publicly available on the Council's website and also reported to the Operations Committee.

Cr Butler exited the meeting at 09:51 am.

Moved Cr Tuffnell/Cr Mackenzie

CN20-10-19

That the Full Council;

- 1. receives the Stimulation of Local Construction Sector Post Covid-19 report, RCN20-10-9; and**
- 2. approves the procurement of the Wilding Conifer Control contract through an invited tender process; and**
- 3. notes that a fast-tracked direct procurement process including due diligence to confirm value for money, is being implemented for the following projects which have a construction value of less than \$2 million;**
 - a) Richmond South water main;**
 - b) Motueka Thorp Street water main renewal;**
 - c) Dovedale water treatment plant upgrades;**
 - d) Pohara water treatment upgrades;**
 - e) Hill Street water main link;**
 - f) Bridge structures components.**

CARRIED

8.4 Proposed Amendments to the Dog Control Bylaw

Regulatory Manager, Adrian Humphries presented the report which was taken as read.

Cr Butler returned to the meeting at 09:54 am.

The Council congratulated the Golden Bay Community Board for their work on the amendments to the Dog Control Bylaw and agreed that a letter to that effect should be sent thanking them for their input.

Moved Cr Butler/Cr Hill

CN20-10-20

That the Full Council

- 1. receives the Proposed Amendments to the Dog Control Bylaw report RCN20-10-10; and**

2. notes that Golden Bay Community Board recommends amendments to the Dog Control Bylaw 2014 arising from the hearing of submissions and deliberations as identified in Attachment 1 of Report RCN20-10-10; and
3. agrees that the Dog Control Bylaw (as amended) continues to satisfy the following requirements of section 155 of the Local Government Act 2002:
 - the Bylaw is the most appropriate way of addressing the care and control of dogs as contemplated by the Dog Control Act 1996;
 - the Bylaw is the most appropriate form of Bylaw; and
 - the Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
4. adopts the amendments to the Dog Control Bylaw 2014 as recommended and as reflected in the Dog Control Bylaw 2014 (amended November 2020) enclosed as Attachment 2, with effect on 1 November 2020, and authorises use of the Seal of the Council to authenticate the Bylaw; and
5. approves public notification that the Bylaw in resolution 4 comes into effect 1 November 2020.

CARRIED

Mayor King exited the meeting at 10:00 am.

Cr Bryant assumed the Chair.

8.5 Machinery Resolutions Report

The report was taken as read. There were no questions.

Moved Cr Maling/Cr Turley

CN20-10-21

That the Tasman District Council:

1. receives the Machinery Resolutions report and that the execution of the following documents under the Council Seal be confirmed:
 - a) ANZ Authorised Signatories – Tasman District Council on behalf of ANZ – An annual update of signatories with the ANZ bank. This is in line with the Council’s Treasury Policy.
 - b) Deed of Covenant and Encumbrance Instrument – Roding River Farm Limited – Andrew Strange of Roding River Farm Limited has sought the Councils landowner permission for the abutment of a new private bridge at 656 Aniseed Valley Road to occupy the road. The Encumbrance has been approved by the Engineering Services Manager via memorandum 2020-03-24.
 - c) Deed of Lease – Eureka Solutions Limited – Grant of new Lease to Eureka Solutions Limited for the Motueka State Cinema within the Motueka Recreation Centre. It has a term of five years and two rights of renewal of five years each expiring October 2034.
 - d) Deed of Covenant – Karsten Schroder and Elfriede Lindbuchl – Deed of Covenant allowing the landowner to retain part of their house and a single

garage on Legal Road adjoining their curtilage for 20 years registered against their title.

- e) **Deed of Lease – Tasman Bays Promotions Association Incorporated – Trading as Motueka iSite – 20 Wallace Street , Motueka (Decks Reserve) – New Lease as recommended by the new Motueka Reserve Management Plan, same terms as previous leases, five year tenure to 31 January 2025, no rent increase, \$1500+GST per annum plus all outgoings – No auto renewal – Tasman Bays Promotions Association Incorporated have agreed to the current Motueka Library construction plan which restricts their dedicated carparks to just three carparks at the northwest corner of the building during the period of construction.**

CARRIED

8.6 Chief Executive's Update Report to Full Council

Chief Executive, Janine Dowding presented the report which was taken as read. She provided an update on the recent issue with the structural weakness on the central stairwell in the main Council building in Richmond and noted that it is not as severe as first thought.

Moved Cr Tuffnell/Cr Dowler

CN20-10-22

That the Full Council receives the Chief Executive's Update Report to Full Council RCN20-10-12.

CARRIED

Mayor King returned to the meeting at 10:03 am and assumed the chair.

8.7 Mayor's Update Report

Mayor King presented the report which was taken as read.

Cr Maling exited the meeting at 10:10 am.

The Mayor and Ms Dowding were thanked for initiating regular meetings with the Chairs of local community groups. It was noted that the groups had provided valuable feedback and appreciated the opportunity to meet face-to-face.

Responding to a question about the Future Development Strategy (FDS) decision-making process under the joint councils committee, Mayor King noted that the FDS requires a special consultative procedure which will allow the community to have input before any final decisions are made around the future development of our District.

Cr Maling returned to the meeting at 10:15 am.

Activity Planning Manager, Dwayne Fletcher noted that the Nelson Tasman Land Development Manual caters for different approaches across the region which are linked to the two council's respective resource management plans. The Engineering Services Managers from both councils also have the ability to consider alternative solutions on a case-by-case basis.

Mayor King advised that since writing his report, he had met with a rural farming group at St Arnaud to discuss the National Policy Statement (NPS) on Freshwater. He noted that there is still a lot of information needed to ensure that landowners know exactly what they are required to do.

Mr Bush-King advised the Council that he will be presenting a report to the Regulatory Committee meeting on 26 November 2020 focusing on landowner obligations, consenting compliance and compliance with the NPS Freshwater. Staff are also working with other regional councils to answer questions about the Policy that are common across the country. He noted that Council staff will work with landowners to remedy any issues as they arise.

Staff are also working through the NPS Freshwater issues with the regional sector forum and regional chief executive's subcommittee as well as government officials and Mr Bush-King will ensure that the Council is kept apprised of that work.

In response to a question, Mr Bush-King said that he will ensure that lifestyle block owners are also aware of what is required of them under the new NPS Freshwater rules and this group will be included in the communications plan.

Moved Mayor King/Cr Greening

CN20-10-23

That the Full Council

1. receives the Mayor's Update Report RCN20-10-13; and
2. agrees that the Terms of Reference for Joint Committee of Tasman District and Nelson City (Joint Councils Committee) is amended as follows:

Areas of responsibility (to include):

- a) Implementation of the Nelson Tasman Future Development Strategy; and

Powers to decide (to include):

- b) To adopt, approve, review and amend the Nelson Tasman Future Development Strategy and Implementation Plan.
- c) In matters relating to the Nelson Tasman Future Development Strategy, undertake community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes.

CARRIED

The meeting adjourned at 10:35 am and resumed at 10:50 am

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

Moved Deputy Mayor Bryant/Cr Maling

CN20-10-24

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

9.2 Waimea Community Dam - Funding of Cost Overruns

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution

<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>
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9.3 LGFA - Changes to Foundation Policies and Nominations to Board

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

9.4 Information Services Restructure Proposal

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

9.5 Port Tarkohe Redevelopment - Update

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good</p>	<p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good</p>

reason for withholding exists under section 7.	disadvantage, commercial activities. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	reason for withholding exists under section 7.
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CARRIED

Cr Chris Hill offered the closing karakia.

The meeting concluded at 12:45 pm.

Confirmed

Date Confirmed: 03 December 2020

Chair:

Tim King, Mayor

Chair of Full Council